

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re	: Chapter 9
	:
CITY OF DETROIT, MICHIGAN,	: Case No. 13-53846
	:
Debtor.	: Hon. Steven W. Rhodes
	:
-----X	

**DEBTOR'S OBJECTION TO MOTION OF
PREPETITION 42 U.S.C. § 1983 CLAIMANTS, PURSUANT
TO SECTION 1102(a)(2) OF THE BANKRUPTCY CODE,
FOR ENTRY OF AN ORDER DIRECTING THE APPOINTMENT
OF A COMMITTEE OF PREPETITION 42 U.S.C. § 1983 CLAIMANTS**

The City of Detroit (the "City") hereby objects to the Motion of Prepetition 42 U.S.C. § 1983 Claimants, Pursuant to Section 1102(a)(2) of the Bankruptcy Code, for Entry of an Order Directing the Appointment of a Committee of Prepetition 42 U.S.C. § 1983 Claimants (Docket No. 2476) (the "Motion") filed by certain prepetition claimants (collectively, the "Movants") holding claims (any such claim, a "Pending 1983 Claim") arising from lawsuits against the City, its employees or both under 42 U.S.C. § 1983 that are pending in the United States District Court for the Eastern District of Michigan (the "District Court"). In support of this Objection, the City respectfully represents as follows:

Objection

By the Motion, the Movants seek the appointment of an official committee (an "Official 1983 Claimant Committee") of creditors holding Pending 1983 Claims, pursuant to section 1102(a)(2) of title 11 of the United States Code (the "Bankruptcy Code"). As set forth in the Brief in Opposition filed contemporaneously herewith, the Motion should be denied because

(a) the appointment of an Official 1983 Claimant Committee is unnecessary to assure the adequate representation of holders of Pending 1983 Claims and

(b) the Movants fail to establish that the Court should exercise its discretion to appoint an Official 1983 Claimant Committee.¹

WHEREFORE, for the reasons set forth herein and in the Brief in Opposition, the City respectfully requests that this Court: (i) deny the Motion and overrule the Supporting Response; and (ii) grant such other and further relief to the City as the Court may deem proper.

¹ On January 29, 2014, a response to the Motion (Docket No. 2595) (the "Supporting Response") was filed by Walter Swift and Dwayne Provience (collectively, the "Respondants"). In the Supporting Response, the Respondants state their support for the relief sought in the Motion and raise additional arguments in support of such relief. By this Objection, the City also opposes the Supporting Response.

Dated: February 4, 2014

Respectfully submitted,

/s/ Heather Lennox

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